IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 2582 OF 2005
IN
CRIMINAL APPEAL NO. 863 OF 2003

Suresh Ganpat Jadhav .. Applicant

Vs.

The State of Maharashtra .. Respondent

Mr. D.H. Kumthekar for applicant.
Mr. D.P. Adsule, APP for State.

CORAM: S.S. PARKAR,J.

Date : September 22, 2005.

P.C.:

1. This is an application for bail preferred for the second time by the applicant who was original accused no.2. His earlier application was rejected on 25/8/2003 on the ground that applicant was convicted for the serious offence and was in custody for very short time, as he was on bail during trial. Apart from being in custody for some time after his arrest, he is in custody from the date of conviction i.e. 5/6/2003 i.e. for a period of more than two years. It is argued that though by the previous order the hearing of the appeal was expedited, the appeal is not ready for hearing and is not likely to come up for

hearing for quite some time. The period of sentence is seven years out of which more than two years has been undergone by the applicant. In the circumstances, this application can be granted by putting condition on the applicant.

2. In the result, this application is allowed and the applicant is directed to be released on bail in the sum of Rs.25,000/- with one or two sureties to make up the amount on condition that he shall report to the D.B. Marg Police Station once in a month pending the hearing of the appeal.

(S.S. Parkar,J.)